



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/044,106

01/11/2002

Li Mo

131105.1003

8105

32914 7590 07/18/2008
GARDERE WYNNE SEWELL LLP
INTELLECTUAL PROPERTY SECTION
3000 THANKSGIVING TOWER
1601 ELM ST
DALLAS, TX 75201-4761

EXAMINER

TSEGAYE, SABA

ART UNIT

PAPER NUMBER

2619

MAIL DATE

DELIVERY MODE

07/18/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/044,106	Applicant(s) MO ET AL.	
	Examiner SABA TSEGAYE	Art Unit 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-10, 12-16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-10, 12-16 and 18-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to the amendment filed 01/08/08. Claims 1-4, 6-10, 12-16 and 18-20 are pending. Currently no claims are in condition for allowance.

Claim Rejections - 35 USC § 102

2. Claims 1-3, 6-9, 12-15 and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Rekhter et al. (US 6,526,056 B1).

With respects to claims 1, 6, 12 and 13, Rekhter discloses, in Fig. 9, a system for filtering and distributing routes to sites in a virtual private network (VPN A; VPN B), the routes being used by a router (CE1, CE2) to forward packet, comprising:

an import filter receiving a plurality of routes from a route distributor (PE), the plurality of routes having a route distinguisher, a route target, and a next hop routing information (column 27, lines 38-59) the import filter accepting a first subset of the routers according to an import target policy (column 27 lines 60-67); and a re-export filter (CE2) receiving the plurality of routes from the route distributor (PE2), the re-export filter modifying the next hop (P1) information of a second subset of the routes, and distributing the modified routes (column 32, line 63-column 33, line 11).

Regarding claims 2 and 14, Rekhter discloses the system wherein the re-export filter modifies the next hop information to be the address of a router serving as a firewall of a network (column 32, line 63-column 33, line 6).

Regarding claims 3 and 15, Rekhter discloses the system wherein the re-export filter modifies the next hop information to be the address of a firewall of a virtual private network (column 32, line 63-column 33, line 6).

Regarding claim 7, Rekhter discloses the network wherein the re-export filter modifies the next hop information to be the address of the hub node (CE1) (column 33, lines 7-11).

Regarding claim 8, Rekhter discloses the network wherein the re-export filter modifies the next hop information to be the address of the hub node serving as a firewall for the network (column 32, line 63-column 33, line 11).

Regarding claim 9, Rekhter discloses the network wherein the re-export filter modifies the next hop information to be the address of the hub serving as a firewall of a virtual private (VPNA) network (column 32, line 63-column 33, line 6).

Regarding claims 18-20, Rekhter discloses the system wherein the re-export filter modifies the route distinguisher and the route target, and distributes the modified routes (column 27, line 52-67).

Claim Rejections - 35 USC § 103

3. Claims 4, 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rekhter et al. in view of Lin.

With respect to claims 4, 10 and 16, Rekhter discloses a system as stated above, but does not disclose a re-export filter comprising of a mask, a value for comparison with the route and an action to take in response to a match between the route and the comparison value.

However, Lin in Patent No. 6,633,563 discloses a content addressable memory having a search field, a mask and an output for each memory location. An input value and mask are respectively received on a value bus and mask bus. Each of the input value and mask has a number of bits equal to the search field length. The data stored in the output field is generated as output on an output bus if the input value at bit positions specified by the mask bus matches the corresponding bits of the search field. That is, only the bits in bit positions specified by the mask may be compared (column 10 lines 13-22). It would have been obvious to one skilled in the art at the time of the invention to include a mask, a value for comparison with the route, and an action to take in response to a match between the route and the comparison value in Rekhter in order to provide a method to control what is the deciding factor used to determine if a route is blocked or permitted and to provide a comparison method to decide if a route should be blocked or permitted.

Response to Arguments

4. Applicant's arguments filed 01/08/08 have been fully considered but they are not persuasive. Applicant argues that “...*contrary to the assertion of the examiner, there appears to be no mention of the inclusion of rout distinguishers or route targets in the routes...*” Examiner respectfully disagrees. Rekhter clearly discloses that ... the PE router configured with **a set of address** from the C network that are to be exported to a set of other VPNs.... Rekhter, also, shows, in fig. 5, a format and environment of a Border Gateway Protocol protocol data unit used

to distribute VPN-**distinguishing reachability** information and **tags**. Further, Rekhter discloses that a tag is a field that routers use to make routing decisions....One way to implement tag switching is to have routers tell their neighbors the tags they want to see in the packets that they receive. Specifically, a given router may decide to associate a particular tag with (“bind a particular tag to”) a particular address prefix... (column 10, lines 1-30; column 8, lines 31-48).

Applicant, further, argues that “...*no mention in lines 60-67 of col. 27 of an acceptance during importation of only a subset of the routes according target policy.*” Examiner respectfully disagrees. PE router is configured to allow **only particular VPN-IP4 address** (claimed only a subset of the routes...) to be distributed to a particular CE router. See also column 31, lines 24-64.

Applicant argues that ...*no mentions of a re-export filter in the passage... there is no mention of modifying next hop information ...*” Examiner respectfully disagrees. Rekhter clearly discloses that CE2 runs the packet through the firewall and the packet is sent to PE2. This shows that CE2 modifies the next hop information which is PE2. PE2 router receives the packet from the CE2 router, and identifies the router from which the packet was just transmitted.

Examiner believes that the claims, given their broad reasonable interpretation, read on the references applied.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

Art Unit: 2619

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SABA TSEGAYE whose telephone number is (571)272-3091. The examiner can normally be reached on Monday-Friday (7:30-5:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Saba Tsegaye/
Examiner, Art Unit 2619
July 10, 2008

/Wing F. Chan/
Supervisory Patent Examiner, Art Unit 2619
7/16/08